

**MINUTES  
CITY OF CANANDAIGUA  
PLANNING COMMISSION**

**June 11, 2019**

PRESENT:	Chairman Torsten Rhode	Commissioner Adrienne Kantz
	Vice Chairman Stanley Taylor	Commissioner Lindsay Pennise
	Commissioner Jeff Ayers	Commissioner Guy Turchetti
	Commissioner Anne Beyer	

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

**CALL TO ORDER**

Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

**APPROVAL OF MINUTES:**

Chairman Rhode asked if anyone had any additions or corrections to the May 14, 2019 Meeting Minutes. Commissioner Beyer moved to approve the minutes as submitted. Vice Chair Taylor seconded the motion, which carried by unanimous voice vote (7-0).

**REVIEW OF APPLICATIONS**

**ITEM 1**      **(Public Hearing) Application #19-115A: 39 Coach Street, PEACEMAKER BREWING COMPANY, Special Use Permit, to operate a tasting room within the existing building.**

Todd Reardon, owner of Peacemaker Brewing Company, represented the application. The proposal is for a tasting room with the brewing contained within the existing building. There would be no outdoor activities and no changes to the site plan. The only exterior change is the sign, which will be the same size and location as the “Coach Street Clay” sign.

The hours of operation would be seven days per week, no later than 11:00 p.m. Mr. Reardon said he is anticipating a capacity of approximately 75 people. If at a later date they can secure the building next door, they would apply for a modification to include this property and expand the seating.

Chairman Rhode opened the public hearing. Seeing no one, the public hearing was closed.

Vice Chair Taylor asked about the colors of the proposed sign. Mr. Reardon explained that the design would be black, yellow and green on a white background.

Chairman Rhode asked about the impact on trash generation. Mr. Reardon said the trash impact would be minimal as they will not be serving full meals, only snacks. They have a farmer that comes and removes the waste from their brewing operation.

Chairman Rhode also asked about exterior lighting for the sign. Mr. Reardon feels that the existing lighting is sufficient, so no changes are needed.

Commissioner Ayers inquired about music proposed for Friday nights. Mr. Reardon explained that they would have indoor music only and it would not extend beyond 11:00 p.m., consistent with the City Noise Ordinance.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Turchetti moved that the Planning Commission Approve the application as submitted and presented. Commissioner Pennise seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 2 (Public Hearing) Application #19-152: 490 North Main Street, VALVOLINE INSTANT OIL CHANGE, Site Plan Review and Architectural Review to construct a 720 SF addition with site improvements.**

Chris Corfield, from Whelan & Curry, the project engineer, represented the application. The proposal is to construct an additional bay to be added to the south side of the garage. It will be five feet from the property line. The proposal also includes plans to expand the paved area behind the building and relocate the existing dumpster enclosure further back.

Chairman Rhode opened the Public Hearing. There were no speakers. Chairman Rhode closed the Public Hearing.

Chairman Rhode asked about the change of grade in the area for the proposed parking lot expansion. Mr. Corfield explained that there would be fill added to level that area.

Mr. Brown asked if there would be a change to the drainage plan. Mr. Corfield said that most of the area sheet drains to the large rear yard, but that a dry well would also be added.

Chairman Rhode asked about the proposed modification of the building. Mr. Corfield stated that with the addition, they will be updating the appearance of the facade—removing the false mansard—and re-facing the exterior in EIFS. Standard Valvoline colors would be used.

Chairman Rhode asked if the paving to Main Street would remain the same. Mr. Corfield confirmed that it would.

Chairman Rhode asked about any changes to exterior lighting. Mr. Corfield said there are no proposed changes.

Commissioner Pennise asked if the same existing sign would be replaced. Mr. Corfield confirmed that the sign would be replaced at the same location after the façade was modified.

Vice Chair Taylor asked about the appearance of the fencing. Mr. Corfield described a board-on-board style, cedar fence.

Vice Chair Taylor asked what trees would need to be removed on the south side to allow for the addition. Mr. Corfield said he didn't believe any trees would have to be removed. Commissioner Pennise asked about a tree in the front of the property that appears to be an issue. Mr. Corfield agreed that this one tree would need to be removed.

Vice Chair Taylor expressed concern that once construction begins, additional trees would need to be removed. He feels the current buffer requires little maintenance, making it a better option than a fence which will require regular maintenance.

Mr. Brown noted that a fence was not required—zoning requires a fence or hedge. If installing the fence means losing larger mature trees, it may be preferred to omit the fence from the proposal. Chairman Rhode agreed that preserving the trees may be a better option.

Chairman Rhode proposed not approving the fence at this time, pending the results of construction to re-evaluate the effect on the current screening. The applicant would need to return to the Planning Commission for approval of the fence or obtain approval to omit it.

Commissioner Pennise asked if the dumpster could be relocated in the south-west corner, behind the building where it would not be visible from the street. Mr. Corfield said this might be a feasible option.

Vice Chair Taylor moved that the Planning Commission **Table** the application to allow the applicant time to collect and produce the following additional information:

1. Identify the southern property line and determine if the existing vegetation will negate the need for a privacy fence.
2. Produce a landscaping plan including an inventory of trees and vegetation to be removed.
3. Amended site plan indicating a revised dumpster location as discussed.

Commissioner Kantz seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 3**      **(Public Hearing) Application #19-153: 327 North Main Street, CHRIS COSTELLO, Special Use Permit for a Home Occupation (Massage Therapy). (WITHDRAWN)**

Mr. Brown stated that the applicant had withdrawn the application after the hearing was set. He confirmed that there was no one present to speak at the Public Hearing.

**ITEM 4**      **Application #19-133: 137 North Main Street, CHARLES SCHAEFER, Historic Alteration to install garage doors to existing detached garage.**

Charles Schaefer, resident of 137 North Main Street, represented the application. He said this three car garage was missing doors for several years. He added the doors earlier this year, unaware they needed approval. Mr. Schaefer described them as white, metal, 4-panel garage doors. For security reasons, there are no windows.

Mr. Brown asked if there were doors when he purchased the property. Mr. Schaefer confirmed there were not.

Chairman Rhode expressed concern that the doors were the only element of the house that was white in color. Mr. Schaefer agreed to paint them the same light green color to match the existing wood trim on the house.

Chairman Rhode asked if there were any comments or questions from the commission. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented. Vice Chair Taylor seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 5**      **Application #19-150: 51 North Main Street, DERRICK SPATORICO, Historic Alteration to replace existing ground sign.**

Derrick Spatorico, an attorney operating from the property, represented the application. He said the proposed sign is to be in the same location as the existing sign with the same orientation, however it will be smaller. The design incorporates the company colors of green and blue with the same post design as the Johnson-Kennedy Funeral Home sign to the south and the Historical Society sign to the north.

Chairman Rhode asked if the sign would be using the existing brackets. Mr. Spatorico confirmed that it would not. His intent is to keep it in conformity with the signs on either side of the property, using 4x4 posts.

Mr. Brown noted the amended drawing which includes the street number 51. Mr. Spatorico confirmed the addition of the address to the sign for identification purposes.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented. Commissioner Pennise seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 6**      **Application #19-155: 185 North Main Street, ST. JOHN'S EPISCOPAL CHURCH, Historic Alteration to renovate the rear, two-story covered porch.**

Robert Johnston, of B&B Builders, represented the application. He said the overall design of the renovation is very similar, but with minor changes. The railing height will be raised from 28" to 36" to meet current Building Code. The spindles and handrail will be vinyl instead of wood. The design has changed somewhat from the wider spindles to a more standard 2x2 square. The columns will be fiberglass ("Permacast") instead of wood. He said some of the columns are already fiberglass. Synthetic decking ("Azek") is proposed for the porch floor, but this is not visible.

Chairman Rhode is opposed to the change of spindle design. He suggested recreating the existing design with Azek composite. Commissioner Beyer agreed saying the railing design should match the rest of the house.

Mr. Johnston also agreed and said he will prepare a sample for board review.

Chairman Rhode asked if the current three-shade color scheme would be maintained. Mr. Johnston confirmed that it would.

Commissioner Pennise asked if a light would be installed where the existing wires are showing. Mr. Johnston agreed to install a light fixture.

Chairman Rhode proposed making this renovation conditional on the formerly agreed upon replacement of the shutters. Mr. Brown said that the church had replied to the 2016 Notice of Violation saying they would re-install the shutters when the remainder of the building was restored. This porch renovation seems to be part of that restoration.

Ruth Dainty, Property Manager for St. John's Episcopal Church, said she was opposed to combining the two projects, saying this would delay the porch renovation.

Vice Chair Taylor agreed with Chairman Rhode that the replacement of the shutters needs to be addressed at this time, as it has been three years.

Commissioner Ayers said he had concerns with making the shutters a condition of approval for the porch renovation.

Mr. Johnston said he would return for the July meeting of the Planning Commission with the following information:

1. Provide plans to match the existing railing details.
2. Provide final color scheme to match the current three-shade color.
3. Produce a plan for repairing or replacing the missing shutters.

Vice Chair Taylor moved that the Planning Commission Table the application to allow the applicant time to finalize the design as discussed. Commissioner Turchetti seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 7      Application #19-156:   51 Eastern Blvd (Parkway Plaza) SO FRESH LAUNDROMAT, Architectural Review to replace existing signage.**

Bryan Moravec represented the application. The proposed design for the sign is free-standing, channel letters set on a raceway. He stated that the existing sign from the former laundromat will be removed, the holes will be filled and the surface repainted. The new raceway is to be painted the same color as the building to blend in. Mr. Moravec said the landlord has approved the design.

Commissioner Pennise asked if it will be a lighted sign. Mr. Moravec confirmed that it will be an LED sign on a timer.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented. Commissioner Pennise seconded the motion, which carried with a unanimous vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	YES

**ITEM 8**      **Application #19-157: 85 Gibson Street, MICHAEL and NANCY YACCI, Historic Alteration to install replacement windows.**

Michael and Nancy Yacci, the homeowners, represented the application. Jerami Frechette, from Renewal by Andersen, was also present. Mr. Frechette stated that the proposal is to replace the upstairs windows on the front of the house with Anderson Renewal “FibreX” windows. In 2016, the PC approved replacement windows on the lower level of the house and in 2010, larger renovations included replacement windows on the sides and rear of the home. These windows are wood with vinyl cladding on the exterior.

Nancy Yacci stated that the windows are in poor condition: they won’t stay open, are covered in lead paint and not pleasant to look at.

Chairman Rhode said he is opposed to replacement windows, noting that the pictures submitted do not show significant deterioration. Commissioner Ayers agreed.

Commissioner Pennise noted the off-white color of the frames. This is inconsistent with the previously replaced windows on the front of the house. Michael Yacci stated that those windows are wood with vinyl cladding on the exterior in a brighter shade of white, however, he feels that the difference in the shade is not significant.

Commissioner Kantz asked if matching windows were not available. Mr. Frechette stated that these replacement windows come with a 20-year guarantee, are Energy Star rated and are a far superior product to the older replacement windows.

Vice Chair Taylor said he would normally be opposed to the replacement windows under these conditions, but noted the special circumstance of the previous approvals. Commissioner Pennise agreed.

Commissioner Kantz moved that the Planning Commission Approve the application as submitted and presented. She made with motion with the following finding:

1. The majority of the windows in the home were previously replaced, after being approved by the Planning Commission.

Commissioner Turchetti seconded the motion, which carried with a vote (6-1).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Pennise	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Turchetti	Voting	YES
Chairman Rhode	Voting	NO



**MISCELLANEOUS**

Chairman Rhode and Vice Chair Taylor reported on their attendance at Comprehensive Planning Committee meetings. Vice Chair Taylor specifically asked the board about their support for two ideas discussed, since he was serving on the committee as a representative of the Planning Commission:

1. Expansion of the historic districts to include the side streets off Gorham, Howell, and Gibson (e.g. Catherine, Hubbell, Park, Wood, etc.)
2. Increasing property maintenance enforcement within the historic districts to reduce “demolition by neglect”

The board showed general support for both concepts.

Commissioner Kantz reported on her attendance at the Town of Canandaigua’s Comprehensive Plan Committee. She said their process would include a town-wide survey as well as a survey of school children.

Mr. Brown reported on the conclusion of the St. John’s Church/Family Promise appeal. He reminded the board how St. John’s Church had filed an Article 78 Appeal, seeking to reverse the decision of the ZBA with regard to the requirement for a Special Use Permit. He said that in May, a judgement was filed and the decision of the ZBA and Zoning officer was annulled. Therefore, the proposed Family Promise day center will be proceeding with no restrictions or regulations of the local zoning ordinance.

**ADJOURNMENT**

Vice Chair Taylor moved to adjourn the meeting at 9:32. Commissioner Pennise seconded the motion which carried with a unanimous voice vote (7-0).

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Richard Brown  
Director of Development & Planning

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Torsten Rhode  
Planning Commission Chairman